

SUMMARY OF HOUSE AND SENATE BILLS PASSED DURING THE 2004 LEGISLATIVE SESSION: Impact on Women and Children

This is a summary of the bills that were passed during the 2004 Legislative Session. During the session 2,537 bills were introduced, of those, 274 bills passed. Of the bills passed, 10 were vetoed.

2004 REGULAR SESSION:

In the 2004 Legislative Session, we have identified 31 House Bills and 21 Senate Bills; for a total of 52 bills that passed which directly impact women and children. In the year 2003, 19 House Bills and 24 Senate Bills for a total of 43 bills impacting women and children were passed.

For specific information on the bills passed, consult the Legislature's web site at: **www.capitol.hawaii.gov**

Thank you to all of the dedicated members of the Hawaii Women's Coalition who wrote and presented testimony at public hearings and who helped educate the House and Senate members on women's issues. The Women's Coalition worked closely with the Women's Legislative Caucus, who were instrumental in getting many of our bills and resolutions heard in committees.

We look forward to a successful session in 2005!

Summary prepared by the Hawaii State Commission on the Status of Women
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SUMMARY OF HOUSE AND SENATE BILLS PASSED DURING THE 2004 LEGISLATIVE SESSION

SUMMARY OF HOUSE BILLS PASSED

HB1710 HD2 SD2 CD1 (CCR 80-04)

RELATING TO THE UNIVERSITY OF HAWAII.

Status: Pending Governor's Signature

Establishes the student scholarship and assistance special fund administered by the University of Hawaii to provide financial assistance to qualified students. Annual report to the legislature.

Authorizes the University to transfer funds from the tuition and fees special fund into the student scholarship and assistance special fund.

Introduced by: TAKAI

Committee Reports: HSCR 45-04 (HED) HSCR 747-04 (FIN) SSCR 3020 (EDU) SSCR 3269 (WAM) CCR 80-04

Section Affected: 304- (1 SECTION), 304-16.5

HB1774 HD2 SD2 CD1 (CCR 21-04)

RELATING TO UNEMPLOYMENT BENEFITS.

Status: Pending Governor's Signature

Encourages eligible claimants of unemployment insurance to seek gainful employment by permitting claimants to receive their weekly benefit amount without regard to earnings received from employment. Allows federal Reed Act funds to be used to offset anticipated increases in unemployment insurance claims.

Introduced by: M. OSHIRO

Committee Reports: HSCR 461-04 (LAB) HSCR 729-04 (FIN) SSCR 3013 (LBR) SSCR 3251 (WAM) CCR 21-04

Section Affected: 383-23

HB1780 HD1 SD1 (SSCR 3014)

RELATING TO EMPLOYMENT.

Status: Pending Governor's Signature

Amends provision relating to paid leave and education of children. Requires employees to be eligible for up to 2 hours of paid leave during normal business hours to attend either parent teacher conferences or parent caregiver conferences.

Introduced by: M. OSHIRO

Committee Reports: HSCR 22-04 (LAB) HSCR 705-04 (FIN) SSCR 3014 (LBR/ EDU/) SSCR 3253 (WAM)

Section Affected: 78-31

HB1839 HD2 SD2 (SSCR 3225)**RELATING TO PAIN PATIENT'S BILL OF RIGHTS.****Status: Pending Governor's Signature**

Establishes pain patient's bill of rights law. Provides that a patient suffering from severe acute pain or severe chronic pain has the option to request or reject the use of any or all modalities to relieve the pain. Provides that patients who suffer from severe acute or chronic pain have the option to choose from appropriate pharmacologic treatment options to relieve severe acute and chronic pain, including opiate medications without 1st having to submit to an invasive medical procedure. Allows the physician to refuse to prescribe opiate medication but, the physician must refer the patient to another physician. Provides that the board of medical examiners may establish guidelines for physicians, physician assistants and osteopathic physicians with respect to patients' pain management.

Introduced by: EVANS

Committee Reports: HSCR 284-04 (HLT) HSCR 771-04 (CPC/ JUD/) SSCR 3019 (HTH/ CPH/) SSCR 3225 (WAM)

Section Affected: (2 SECTIONS) PAIN PATIENT'S BILL OF RIGHTS, 453- (1 SECTION), 460- (1 SECTION)

HB1860 HD1 SD2 CD1 (CCR 20-04)**RELATING TO CHILD ABUSE AND NEGLECT.****Status: Pending Governor's Signature**

Provides that any individual may designate 5 dollars of their income tax refund to the Hawaii Children's Trust Fund, Domestic Violence Prevention Special Fund, and Spouse and Child Abuse special accounts under the Department of Human Services and the Judiciary.

Introduced by: ARAKAKI

Committee Reports: HSCR 188-04 (HSH) HSCR 605-04 (FIN) SSCR 2904 (HMS) SSCR 3227 (WAM) CCR 20-04

Section Affected: 235-102.5, 321-1.3, 346-7.5, 350B-2, 601-3.6

HB1893 HD2 SD1 (SSCR 3022)**RELATING TO EDUCATION.****Status: Pending Governor's Signature**

Establishes provisions relating to GEAR UP Hawaii scholarship trust fund. Authorizes the University of Hawaii to establish a charitable trust known as GEAR UP Hawaii scholarship trust fund and to appoint 1 or more trustees. The purpose of the trust is to establish and maintain a financial assistance program to award scholarships to eligible students with funds received from the US Department of Education under the Gaining Early Awareness and Readiness for Undergraduate Program.

Introduced by: TAKAI

Committee Reports: HSCR 239-04 (HED/ EDN/) HSCR 570-04 (FIN) SSCR 3022 (EDU) SSCR 3141 (WAM)

Section Affected: 304- (1 SECTION) GEAR UP HAWAII SCHOLARSHIP TRUST FUND

HB1898 HD1 (HSCR 704-04)

RELATING TO FINANCIAL LITERACY FOR YOUTH MONTH.

Status: Act 37, Effective 4/29/04

Establishes the financial literacy for youth month in April to raise public awareness of the importance of developing personal financial management skills in our youth.

Introduced by: TAKAI

Committee Reports: HSCR 236-04 (EDN) HSCR 704-04 (LMG) SSCR 2982 (ECD) SSCR 3216 (TMG)

Section Affected: 8- (1 SECTION) FINANCIAL LITERACY FOR YOUTH MONTH

HB1929 HD1 SD2 CD1 (CCR 83-04)

RELATING TO SCHOOL REPAIR AND MAINTENANCE.

Status: Pending Governor's Signature

Amends provisions relating to the income tax credit for school repair and maintenance. Replaces the Department of Accounting and General Services with the Department of Education. Amends provisions relating to Hawaii 3R's school repair and maintenance project by replacing the Department of Accounting and General Services and the comptroller with the Department of Education and the Superintendent of Education. Establishes a coordinator position within the Department of Education to coordinate the public and private efforts to repair and maintain public schools.

Introduced by: TAKUMI

Committee Reports: HSCR 116-04 (EDN) HSCR 578-04 (FIN) SSCR 3024 (EDU) SSCR 3142 (WAM) CCR 83-04

Section Affected: 235-110.2, 302A-1502.4, 302A-1502.6

HB1980 HD1 SD1 CD1 (CCR 50-04)

RELATING TO FAMILY COURT.

Status: Pending Governor's Signature

Amends provisions relating to procedure in children's cases. Provides that hearings under chapter 587, HRS, to be open to the public upon a party's request and subject to the judge's discretion. Allows each party involved to be accompanied by an adult non-lawyer advocate to provide support, unless the court finds that the presence of the advocate would not be in the best interest of the child. Prohibits persons who have an interest in the matter beyond the protection of the child and the healing and rehabilitation of the family from acting as an advocate. Provides that prior to the start of a hearing, the parents, guardian, or legal custodian, and, when appropriate, the child, the child victim, or witness shall be notified of the right to be represented by counsel and the right to remain silent.

Introduced by: KAHIKINA

Committee Reports: HSCR 657-04 (JUD) SSCR 3198 (JHW) CCR 50-04

Section Affected: 571-41

HB2002 HD2 SD1 CD2**RELATING TO EDUCATION.****Status: Pending Governor's Signature**

Establishes the afterschool plus (A+, A-plus, A plus) program revolving fund administered by the Department of Education to pay for the costs of administering and operating the program. Provides that the fund consist of fees collected for administering the program, legislative appropriations, interest earned on deposits or investments, and other moneys available to the program. Authorizes the Department to establish appropriate fees to be assessed to each participant of the program. Authorizes charter schools to elect whether to receive allocations according to the weighted student formula. Requires the working group to establish performance criteria to be used in individual performance contracts for principals. Requires principals to develop academic and financial plans relating to their schools. Further requires the school community councils to review and evaluate the plans and recommend revisions or recommend approval to the complex area superintendent. Requires the Department of Education to report to the legislature details of the programs and functions that would need to be placed under the control of the individual schools to achieve benchmark figures in enabling principals to expend an increased percentage of the appropriations for the total Department of Education budget.

Introduced by: SAY

Committee Reports: HSCR 476-04 (EDN) HSCR 773-04 (FIN) SSCR 3088 (EDU/ WAM/)
CCR 136-04 - filed SENATE FLOOR AMENDMENT 16 HOUSE FLOOR AMENDMENT
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Section Affected: 302A- (1 SECTION), 302A- (1 SECTION), ACT 2004 (SB3238 SD2 HD2
CD1), 302A-1103, 302A-1124

HB2003 HD1 SD1 (SSCR 3091)**RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES.****Status: Act 44, Effective 4/30/04**

Provides that any person convicted of manufacturing a controlled substance knowing that a child under the age of 16 is present in the structure where the offense occurs, shall be sentenced to an additional term of imprisonment. Provides that a person commits the offense of unlawful methamphetamine trafficking if the person knowingly manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute or dispense 1 or more preparations, compounds, mixtures, or substances of methamphetamine, or any of its salts, isomers, and salts of isomers. Provides that a person age 18 or over commits the offense of promoting a controlled substance through a minor if the person knowingly employs, hires, uses, persuades, induces, entices, or coerces a minor to facilitate the illegal distribution of a controlled substance. Provides that a person commits the offense of promoting a controlled substance in, on, or near schools, school vehicles, or public parks if the person knowingly manufactures methamphetamines within 750 feet of a school or public park. Provides that if a 1st time violator of parole terms and conditions for possession or use of any dangerous drug, detrimental drug, harmful drug, intoxicating compound, marijuana, or marijuana concentrate, or involving possession or use of drug paraphernalia fails to complete a substance abuse treatment program or the Hawaii paroling authority determines that the paroled prisoner cannot benefit from any substance abuse program,

the paroled prisoner shall be subject to revocation of parole and return to incarceration. Establishes drug dealer liability law. Establishes provisions relating to substance abuse prevention education. Provides that an employer shall provide on an annual basis a mandatory substance abuse prevention education program for the employer's employees. Provides that prior to implementing any decision to exclude the child from attending school due to a possession, selling, consuming, or using intoxicating liquor or illegal drugs while attending school or Department of Education supervised activities shall be referred to and assessed by a certified substance abuse treatment counselor to determine whether the child needs treatment for substance abuse or dependency. Provides that services and benefits provided by health insurance plans including QUEST for drug and alcohol dependency shall be equal to and co extensive with health insurance coverage for physical disease and illness. Provides for civil commitment for substance abuse outpatient treatment. Allows family members to petition the family court for an order requiring a respondent to enter into an outpatient treatment program for substance abuse. Provides that a drug rehabilitation home shall be considered a residential use of property and shall be a permitted use in residentially designated zones. Provides that the Department of Public Safety shall coordinate drug abatement efforts of the communities with the State, counties, and community agencies. Annual report to the legislature. Act to be repealed on June 30, 2007 (sunset) except for insurance provisions which will be repealed on June 30, 2011.

Introduced by: SAY

Committee Reports: HSCR 495-04 (JUD) SSCR 3091 (JHW/ HTH/)

Section Affected: 712- (3 SECTIONS), 329-1, 712-1241, 712-1242, 712-1243, 712-1249.6, 353-66, 706-622.5, 706-625, (13 SECTIONS) DRUG DEALER LIABILITY, 302A-1134.6, 431M- (1 SECTION), 334- (8 SECTIONS) CIVIL COMMITMENT FOR SUBSTANCE ABUSE OUTPATIENT TREATMENT, 46- (1 SECTION), 322-1, 712- (1 SECTION), 26-14.6, 712-1276, 712-1278

HB2004 HD1 SD1 CD1 (CCR 5-04)

RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES.

Status: Act 40, Effective 4/30/04 (Became law without Governor's signature)

Appropriation to the Department of Health for adolescent substance abuse treatment programs; for substance abuse prevention; and for adult treatment services. Appropriation to the Judiciary for the drug courts to expand their programs, including juvenile and family drug courts; and for the treatment of 1st time nonviolent drug offenders sentenced by the court. Appropriation to the Department of Public Safety for the canine drug interdiction program. Appropriation out of the environmental response revolving fund to the Department of Health for a study and analysis of the effects of clandestine methamphetamine laboratories on the environment (particularly ground water), disposal of toxic waste materials found at the site and disposal of the site itself, and recommendations for action. Appropriation out of the emergency and budget reserve fund (rainy day fund) as a grant in aid to the city and county of Honolulu, the county of Hawaii, the county of Kauai, and the county of Maui to fund grassroots community efforts to sustain their anti drug campaigns. Appropriation out of the emergency budget reserve fund to the Department of the Attorney General to expand the "Weed and Seed" program to other communities that meet federal guidelines for receiving federal funding under the "Weed and Seed" program. Establishes a

substance abuse treatment monitoring program. Requires the Department of Health to establish the program to determine the effectiveness of substance abuse treatment services and maintain accurate numbers of individuals receiving publicly funded substance abuse treatment. Requires the Office of Youth Services, the Judiciary, and the Department of Public Safety to collect the same information. Annual reports to the legislature. Appropriation to the Department of Health for 3 full time equivalent (FTE) positions in the alcohol and drug abuse division to collect data and evaluate outcomes. Requires the Department of Health to annually report to the legislature on the implementation of the statewide substance abuse plan. Requires the Department of Human Services to coordinate the efforts of the Department of Health, the Department of Human Services, Department of the Attorney General, the Department of Education, county police departments, county prosecutors, the Judiciary, and community agencies to develop the drug endangered child protective program. Report to the legislature. Appropriation to the Department of Public Safety for staffing, equipment, and other operating expenses for the expansion of the KASHBOX substance abuse treatment program at the Waiawa correctional facility.

Introduced by: SAY

Committee Reports: HSCR 516-04 (FIN) SSCR 3092 (WAM) CCR 5-04

Section Affected: 321- (1 SECTION), 352D- (1 SECTION), 601- (1 SECTION), 353G-13

HB2005 HD1 SD1 CD1 (CCR 129-04)

RELATING TO PRESCRIPTION DRUGS.

Status: Pending Governor's Signature

Establishes return for credit and reuse of prescription drugs law. Provides that previously dispensed prescription drugs may be returned to the dispensing pharmacy for credit to the payer and subsequent reuse. Establishes requirements for administration of prescription drugs under program. Allows drugs that meet these requirements but are otherwise not appropriate for return for credit and reuse, to be donated to repository entities. Further provides that all dispensed and billed drugs subject to return for credit and reuse or all drugs subject to donation to repository entities, shall be recorded subject to audit. Report to legislature. Act to be repealed on July 1, 2010 (sunset).

Introduced by: SAY

Committee Reports: HSCR 46-04 (HLT/ CPC/) HSCR 523-04 (FIN) SSCR 3190 (CPH/ HTH/) CCR 129-04

Section Affected: (7 SECTIONS) RETURN-FOR-CREDIT-AND-REUSE OF PRESCRIPTION DRUGS, 328C- (2 SECTIONS), 328C-1, 461- (1 SECTION), 461-1, 328C-2

HB2020 HD1 SD2 CD1 (CCR 28-04)

RELATING TO PROSTITUTION.

Status: Act 82, Effective 5/19/04

Establishes provision relating to promoting travel for prostitution. Provides that a person commits the offense of promoting travel for prostitution if the person knowingly sells or offers to sell travel services that include or facilitate travel for the purpose of engaging in what would be prostitution if occurring in the State and that it shall be a class C felony. Prohibits a travel agency

or charter tour operator from promoting travel for prostitution or from selling, advertising, or offering to sell travel services or facilitating travel for the purpose of engaging in commercial sexual acts; that consists of tourism packages or activities using and offering sexual acts as enticement for tourism; or providing or purporting to provide access to or facilitating the availability of sex escorts or sexual services.

Introduced by: LEE

Committee Reports: HSCR 494-04 (JUD) SSCR 2903 (HMS) SSCR 3115 (JHW) CCR 28-04

Section Affected: 712- (1 SECTION), 468L-7.5

HB2022 HD2 SD1 CD1 (CCR 18-04)

RELATING TO GENERAL ASSISTANCE.

Status: Pending Governor's Signature

Amends provision relating to eligibility of general assistance to households without minor dependents. Requires the Department of Human Services to ask the person whether the person has a physical or mental disability, or both and ask the person to choose whether the person's primary disability is physical or mental. If a determination and certification is made that the applicant does not have a physical and mental disability, the Department shall provide the person with an initial denial notice that gives the person at least 10 business days to provide additional medical evidence and refer the person to free legal services for assistance. Requires the Department to promptly provide the person with a complete and legible copy of the recommended appropriate treatment. Requires the Department to report on the progress of this Act to the legislature.

Introduced by: SHIMABUKURO

Committee Reports: HSCR 422-04 (HSH/ HLT/) HSCR 732-04 (FIN) SSCR 2901 (HMS) SSCR 3138 (WAM) CCR 18-04

Section Affected: 346-71

HB2024 HD1 (HSCR 484-04)

RELATING TO TRANSFER OF OWNERSHIP OF FIREARMS AND AMMUNITION.

Status: Act 4, Effective 4/15/04

Amends provision relating to transfer of ownership of firearms and ammunition. Provides that no person who has been restrained pursuant to an order of any court shall transfer ownership of any firearm or ammunition so long as the restraining order is in effect. Further provides that any person disqualified from ownership, possession, control or the right to transfer ownership shall surrender or dispose of all firearms and ammunition.

Introduced by: LEE

Committee Reports: HSCR 484-04 (JUD) SSCR 2920 (JHW)

Section Affected: 134-7, 134-7.3

HB2025 HD3 SD2 (SSCR 3256)**RELATING TO EQUAL PAY.****Status: Pending Governor's Signature**

Establishes provisions relating to equal pay. Prohibits an employer to discriminate within any establishment in which employees are employed, between employees because of sex, by paying wages to employees in the establishment at a rate less than the rate at which the employer pays wages to employees of the opposite sex in the establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions. Establishes a 4 year pay equity task force to be conducted under the office of the governor. Requires the task force to review relevant information and develop recommendations to the legislature on funding or specific actions to correct any gender based pay inequities that are discovered. Act to be repealed on June 30, 2010 (sunset).

Introduced by: EVANS

Committee Reports: HSCR 8-04 (LAB) HSCR 304-04 (JUD) HSCR 709-04 (FIN) SSCR 3035 (LBR/ JHW/) SSCR 3256 (WAM)

Section Affected: 378- (1 SECTION) EQUAL PAY

HB2198 HD1 (HSCR 493-04)**RELATING TO SCHOOL HEALTH.****Status: Act 19, Effective 4/26/04**

Establishes provisions relating to self administration of medication by a student. Requires the Department of Education to permit the self administration of medication by a student for asthma, anaphylaxis or other potentially life threatening illnesses. Permits student to carry an inhaler and / or auto injectable epinephrine. Requires written authorization by the student's parent or guardian and certification from the student's physician.

Introduced by: LEE

Committee Reports: HSCR 493-04 (HLT/ EDN/) SSCR 2912 (HTH) SSCR 3098 (EDU)

Section Affected: 302A- (1 SECTION) SELF-ADMINISTRATION OF MEDICATION BY STUDENT PERMITTED

HB2254 SD1 CD1 (CCR 35-04)**RELATING TO CHAPTER 707, HAWAII REVISED STATUTES.****Status: Act 61, Effective 5/10/04**

Amends provisions related to definitions of terms in general provisions relating to offenses against the person. Defines sexual contact to include acts other than sexual penetration. Amends provisions relating to sexual assault in the 2nd degree. Provides that a person commits the offense of sexual assault in the 2nd degree if a person knowingly subjects to sexual penetration a person committed to the director of public safety. Provides that a person commits the offense of sexual assault in the 3rd degree if a person while employed in a state correctional facility or as a law enforcement officer knowingly subjects to sexual contact a person confined to a detention facility or a person in custody.

Introduced by: SAY

Committee Reports: HSCR 655-04 (JUD) SSCR 3121 (JHW) CCR 35-04

Section Affected: 707-700, 707-731, 707-732

HB2297 HD1 SD2 (SSCR 3129)

RELATING TO GUARDIANSHIP AND PROTECTIVE PROCEEDINGS.

Status: Pending Governor's Signature

Repeals and replaces provisions relating to guardianship of minors, incapacitated persons, and persons under disability and replaces with the uniform guardianship and protective proceedings Act.

Introduced by: SAY

Committee Reports: HSCR 597-04 (JUD) SSCR 2971 (JHW) SSCR 3129 (WAM)

Section Affected: 560:5-101, 560:5-102, 560:5-104, 560:5-105, 560:5-106, 560:5-107, 560:5-108, 560:5-109, 560:5-110, 560:5-111, 560:5-112, 560:5-113, 560:5-114, 560:5-115, 560:5-116, 560:5-117, 560:5-201, 560:5-202, 560:5-203, 560:5-204, 560:5-205, 560:5-206, 560:5-207, 560:5-208, 560:5-209, 560:5-210, 560:5-301, 560:5-302, 560:5-303, 560:5-304, 560:5-305, 560:5-306, 560:5-307, 560:5-308, 560:5-309, 560:5-310, 560:5-311, 560:5-312, 560:5-313, 560:5-314, 560:5-315, 560:5-316, 560:5-317, 560:5-318, 560:5-401, 560:5-402, 560:5-403, 560:5-404, 560:5-405, 560:5-406, 560:5-407, 560:5-408, 560:5-409, 560:5-410, 560:5-411, 560:5-412, 560:5-413, 560:5-414, 560:5-415, 560:5-416, 560:5-417, 560:5-418, 560:5-419, 560:5-420, 560:5-421, 560:5-422, 560:5-423, 560:5-424, 560:5-425, 560:5-426, 560:5-427, 560:5-428, 560:5-429, 560:5-430, 560:5-431, 560:5-432, 560:5-433, 128-23, 327E-2, 327E-6, 333F-11, 333F-13, 334-1, 334-60.5, 346-235, 346-237, 353-24, 353-25, 353-26, 353-27, 353-28, 551-1, 551-21, 551-22, 551-35, 551A-2, 551D-3, 554B-1, 554B-13, 560:1-201, 560:3-915, 560:3-1214, 560:5-601, 571-2, 571-14, 586-3, 586-10.5, 603-21.5, 603-21.6, 607-5, 327-3, 327E-3, 327E-16, 334-60.4, 346-45, 352-8, 412:8-201, 553A-18, 553A-19, 554B-2, 554B-5, 554B-16, 554B-17, 571-11, 571-63, 574-5, 560:5-103, 560:5-211, 560:5-212, 560:5-308A

HB2337 HD1 SD1 (SSCR 3059)

RELATING TO NAME CHANGES.

Status: Act 81, Effective 5/19/04

Amends provisions relating to change of name; procedure. Reduces the filing fee to 50 dollars for a name change.

Introduced by: SAY

Committee Reports: HSCR 309-04 (JUD) HSCR 563-04 (FIN) SSCR 3059 (WAM)

Section Affected: 574-5

HB2385 HD1 SD1 (SSCR 2902)

RELATING TO ACCESS TO VITAL STATISTICS RECORDS BY CHILD SUPPORT ENFORCEMENT AGENCIES.

Status: Act 80, Effective 5/18/04

Amends provisions relating to investigators; access to information. Provides that the Child Support Enforcement Agency shall have access including automated inquiry access to the public health statistics records of the Department of Health. Provides that the US Secretary of Health and Human Services shall also have access but only for the purpose of funding and oversight.

Introduced by: SAY

Committee Reports: HSCR 198-04 (HSH/ HLT/) HSCR 537-04 (JUD) SSCR 2902 (HMS) SSCR 3222 (JHW)

Section Affected: 576D-18

HB2459 HD1 SD2 (SSCR 3139)

RELATING TO PUBLIC ASSISTANCE.

Status: Pending Governor's Signature

Amends provisions relating to motor vehicle insurance. Provides that covered loss deductible shall not include benefits paid under any public assistance program.

Introduced by: SAY

Committee Reports: HSCR 195-04 (HSH/ HLT/) HSCR 744-04 (FIN) SSCR 2907 (HMS) SSCR 3139 (WAM)

Section Affected: 431:10C-301.5

HB2645 HD2 SD2 (SSCR 3248)

RELATING TO EDUCATION.

Status: Pending Governor's Signature

Establishes provisions relating to retired teachers. Exempts retired Department of Education teachers who held valid teaching certificate or license at the date of retirement from any prerequisite coursework that the Department requires of other substitute teachers for a period of 10 years after the date of their retirement.

Introduced by: TAKUMI

Committee Reports: HSCR 228-04 (EDN) HSCR 689-04 (LAB) SSCR 2946 (EDU) SSCR 3248 (WAM)

Section Affected: 302A- (1 SECTION) RETIRED TEACHERS

HB2674 HD1 SD1 CD1 (CCR 40-04)

RELATING TO IDENTITY THEFT.

Status: Pending Governor's Signature

Establishes provisions relating to retail merchant club cards. Provides that no club card issuer shall request in a club card application, or require as a condition of obtaining a club card, that the applicant provide any personal information except name, address, and telephone number.

Provides that the club card issuer may ask for the last 4 digits of the applicant's social security number. Provides that no club card issuer may sell or share a cardholder's name, address, telephone number or any personal information to any unaffiliated 3rd party except if the club card issuer charges an annual fee; allows only cardholders to make purchases; provides a written statement that cardholder information may be shared with other businesses for marketing and that payment of an annual fee means the cardholder has agreed to allow the club card issuer to share cardholder information, and the card holder may opt out from cardholder information sharing; and the cardholder obtains written confirmation from unaffiliated 3rd parties that shared information will not be transferred to any other entity. Prohibits club card issuers from requiring

as a condition of obtaining a club card that the cardholder obtain the club card as an identification card for purposes of check cashing or credit. Allows a club card issuer to include on its club card application form a credit application to a designated credit card company and to transmit the credit application to the credit card company, provided that; the credit application form is separately identified as an option on the club card and the credit application clearly discloses that the cardholder is applying for credit with the designated credit card company. Provides that each agency shall make certified payroll records on public works contracts, not including social security numbers, available for public inspection and duplication during regular business hours. Provides that social security numbers are examples of information in which an individual has a significant privacy interest.

Introduced by: HAMAKAWA

Committee Reports: HSCR 673-04 (JUD/ CPC/) SSCR 3200 (JHW/ CPH/) CCR 40-04

Section Affected: (2 SECTIONS) RETAIL MERCHANT CLUB CARDS, 92F-12, 92F-14

HB2689

RELATING TO STALKING.

Status: Act 18, Effective 4/23/04

Amends provisions relating to jurisdiction; adults and general. Provides that the family court shall have concurrent jurisdiction with the circuit court over violations of harassment by stalking.

Introduced by: HAMAKAWA

Committee Reports: HSCR 202-04 (JUD) SSCR 3083 (JHW)

Section Affected: 571-14, 603-21.5

HB2789 HD1 SD1 (SSCR 3094)

RELATING TO SEXUAL ASSAULT.

Status: Pending Governor's Signature

Proposes to amend the constitution. Establishes that the legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes. Repeals and replaces provisions relating to continuous sexual assault of a minor under the age of 14.

Introduced by: B. OSHIRO

Committee Reports: HSCR 488-04 (JUD) SSCR 3094 (JHW)

Section Affected: ART I (1 SECTION), 707- (1 SECTION), 707-733.5

HB2796 HD1 SD2 CD1 (CCR 7-04)

RELATING TO STATE FUNDS.

Status: Act 45, Effective 5/3/04

Appropriation out of the emergency and budget reserve fund (rainy day fund) to the Department of Human Services as a grant to Hale Mahaolu for the personal care program for disabled or chronically ill frail adults and elders residing in Maui county; as a grant for Family Support Services of West Hawaii; and as a grant for Friends of Foster Kids. Appropriation to the Judiciary via the children's justice center to provide treatment services for child victims of intrafamilial sexual abuse, including psychological treatment and case management services for child victims and their families who are not covered under the child protective services system.

Appropriation to the Hawaii Youth Services Network for its Transitional Living Program for Unserved Street Youth; as a grant for the Boys and Girls Club of Hawaii in Papakolea; and as a grant to assist in the completion of the Teen Center at Nanakuli high and intermediate school. Appropriation for the residential alternative community care program; for the chore services program; and as a grant for Parents and Children Together. Appropriation to Volunteer Legal Services Hawaii for its Na Keiki Law Center project focusing on protecting the legal rights of children; as a grant for the Honolulu Community Action Program in Waianae to support the Hawaii Family Advocacy Program in assisting families in the child protective services system; and as a grant for the Weed and Seed Program to collaborate and support existing programs on the Waianae Coast. Appropriation to the Judiciary, circuit court of the 2nd circuit as a grant for the Domestic Violence Clearinghouse and Legal Hotline for Maui program services. Appropriation to the Department of Human Services, housing and community development corporation of Hawaii for costs related to homeless assistance; as a grant to the Self Help Housing Corporation of Hawaii; as a grant for the Honolulu Neighborhood Housing Services operating expenses for the purposes of developing low income rental homes and rehabilitating homes for low income families and individuals. Appropriation to the Department of Health, Hawaii Health Systems Corporation, for the Program for All Inclusive Care for the Elderly to expand to the neighbor islands. Appropriation to the Department of Health as a subsidy for the operating costs of Molokai general hospital; as a subsidy to Kahuku hospital to fund the costs of emergency room operations, inpatient and outpatient care for the underinsured, medical malpractice insurance, and labor; as a subsidy for emergency services at the Waianae Coast Comprehensive Health Center; as a subsidy for Wahiawa general hospital to provide indigent care services; as a subsidy to the St. Francis Medical Center for the operations of the bone marrow registry; to enable the Department of Health to operate a hospital based poison center 24 hours a day; as a subsidy to the Hana Community Health Center for operational expenses; as a subsidy to the Hana Community Health Center for behavioral health services for Hana high and elementary school (provided that no funds be made available unless matched dollar for dollar by the Department of Education); to provide resources to nonprofit, community based healthcare providers to care for the uninsured for providing direct care, which includes primary medical, dental, and mental health care, and may pay for the purchase of prescription drugs; as a subsidy for the Kapiolani Medical Center for Women and Children Sex Abuse Treatment Center master contract; as a subsidy for Kauai Community Health Center; for the donated dental services program in Hawaii; for the Hawaii Drug Assistance Program; for the Hawaii Seropositivity and Medical Management Program; as a grant to Na Lei Wili Area Health Education Center for the Grow Our Own Healers Youth Program and Health Corps Hawaii to address workforce shortage through tiered mentoring, health care exploration, community health education, and community service; as a grant to the Roman Catholic Church in the State for the Mobile Care Health Project to provide primary dental care services for the uninsured and underinsured on the island of Hawaii; and as a grant for Kokua Kalihi Valley Comprehensive Family Services, in collaboration with the Kalihi Palama Health Center, to establish school based or school linked health services at the high school and middle schools in Kalihi. Appropriation for Catholic Charities of the Diocese of Honolulu for the Lanakila Multi Purpose Senior Center; as a grant for the Moiliili Community Center for program support; and as a grant for the Waikiki Community Center for program support.

Appropriation for Maui Economic Opportunity, Inc., and its night transportation service for dialysis treatment programs in Maui County. Appropriation to the Department of Education for continued enrichment and after school programs at Nanaikapono elementary school.

Introduced by: TAKAMINE

Committee Reports: HSCR 420-04 (HSH/ HLT/) HSCR 711-04 (FIN) SSCR 3053 (HTH/ HMS/) SSCR 3086 (WAM) CCR 7-04

HB2840 HD1 SD3 CD1 (CCR 132-04)

RELATING TO ENHANCING ECONOMIC DIVERSITY.

Status: Pending Governor's Signature

Establishes the Hawaii 3Ts school technology laboratories fund as a separate fund of the economic development alliance of Hawaii inc., a Hawaii nonprofit organization, to provide either grants to organizations or contracts with private vendors for the establishment and maintenance of technology laboratories in the schools. Requires the alliance to appoint members of the Hawaii 3Ts school technology laboratories board who shall raise money for the fund, establish criteria for proposals, review grant proposals, and make recommendations for grants and other expenditures. Requires an annual report on the progress of the fund to be made to the director of business, economic development, and tourism who shall transmit it to the legislature. Report to the legislature.

Introduced by: SAY

Committee Reports: HSCR 468-04 (WLH/ EDB/) HSCR 585-04 (FIN) SSCR 2997 (ECD/ WLA/ SAT/) SSCR 3136 (WAM) - filed FLOOR AMENDMENT 9 CCR 132-04

Section Affected: 302A- (1 SECTION) HAWAII 3TS SCHOOL TECHNOLOGY LABORATORIES FUND

HB2871 HD2 SD1 (SSCR 3204)

RELATING TO TOBACCO.

Status: Pending Governor's Signature

Establishes provisions relating to smoking prohibited. Requires public schools from kindergarten through the 12th grade to prohibit the use of tobacco at public schools or at public school functions. Requires the Department of Education to provide affected public employees with breaks throughout the work day during which they may smoke at locations off campus and to provide a smoking cessation program for employees. Amends provisions relating to collective bargaining in public employment by providing that the federal Pro Children Act shall impose mandatory restrictions on smoking in the workplace.

Introduced by: ARAKAKI

Committee Reports: HSCR 77-04 (HLT/ LAB/) HSCR 545-04 (EDN) SSCR 3204 (LBR/ EDU/)

Section Affected: 302A- (1 SECTION), 89-20

HB2911 HD2 SD1 CD1 (CCR 82-04)
RELATING TO CHARTER SCHOOLS.

Status: Pending Governor's Signature

Amends provisions relating to new century charter schools. Provides that new century charter schools shall be subject to State land use laws and county laws, codes, and rules governing land use and public health and safety. Further provides that new century charter schools shall be subject to audit and inspection by the charter school administrative office.

Introduced by: HAMAKAWA

Committee Reports: HSCR 266-04 (EDN) HSCR 714-04 (FIN) SSCR 3027 (EDU) SSCR 3146 (WAM) CCR 82-04

Section Affected: 302A-1184

SUMMARY OF SENATE BILLS PASSED

SB0017 SD1 HD1 CD2 (CCR 93-04)

RELATING TO EDUCATION.

Status: Pending Governor's Signature

Provides that beginning with the 2006 - 2007 school year, a child who will be at least 5 years of age on or before August 1 of the school year may attend kindergarten and a child who will be at least 5 years of age after August 1 and before January 1 of the school year may attend junior kindergarten. Requires the Department of Education to establish a 2 tier junior kindergarten and kindergarten program. Authorizes schools to move students between junior kindergarten and kindergarten as deemed appropriate. Provides that junior kindergarten students may graduate directly to the 1st grade. Requires the Department to develop a plan to assist schools for the development of the 2 tier junior kindergarten and kindergarten program. Reports to the legislature. Requires the Department to develop assessments to aid in the placement of students in the appropriate classroom. Appropriates \$100,000.

Introduced by: SAKAMOTO

Committee Reports: SSCR 304 (EDU) SSCR 669 (WAM) HSCR 1117 (EDN) HSCR 1456 (FIN) CCR 125 CCR 93-04

Section Affected: 302A-411, 302A-1131

SB0214 SD3 HD2 CD1 (CCR 117-04)

RELATING TO WORKFORCE DEVELOPMENT.

Status: Pending Governor's Signature

Authorizes Leeward community college to develop a program to provide services to FAS (Freely Associated States) students as well as to Micronesian, Marshallese, and Palauan communities at large, to ensure their success in school through cultural education and integration, language, employment, training, and legal services, provided that funding be restricted to private contributions and federal funding. Report to the legislature.

Introduced by: HANABUSA

Committee Reports: SSCR 2072 (LBR) SSCR 2479 (LBR/ EDU/) SSCR 2851 (WAM) HSCR 783-04 (LAB/ HED/) HSCR 1249-04 (FIN) CCR 117-04

SB0469 HD1 (HSCR 1087-04)

RELATING TO EMPLOYMENT PRACTICES.

Status: Pending Governor's Signature

Establishes provision relating to sick leave. Provides that it shall be an unlawful discriminatory practice for an employer or labor organization to refuse to hire or employ, or to bar or discharge from employment, or withhold pay, demote, or penalize an employee because the employee uses accrued and available sick leave in accordance with an express provision of a valid collective bargaining agreement or a valid employment policy.

Introduced by: HANABUSA

Committee Reports: SSCR 447 (LBR) SSCR 989 (JHW) HSCR 1087-04 (LAB)

Section Affected: 378- (1 SECTION) SICK LEAVE

SB1238 SD2 HD2 CD1 (CCR 65-04)**RELATING TO MENTAL HEALTH.****Status: Pending Governor's Signature**

Establishes advance mental health care directives law. Authorizes any competent adult or emancipated minor to make a written advance mental health care directive declaring preferences or instructions regarding mental health treatment including consent to or refusal of treatment.

Defines advance health care directive to mean a written document expressing preferences, instructions or a power of attorney for mental health treatment. Repeals the medical treatment decision for psychotic disorders law (Chapter 327F, HRS).

Introduced by: CHUN OAKLAND

Committee Reports: SSCR 239 (HTH) SSCR 814 (WAM) HSCR 930 (HLT) HSCR 1006-04 (JUD) HSCR 1287-04 (FIN) CCR 65-04

Section Affected: (14 SECTIONS) ADVANCE MENTAL HEALTH CARE DIRECTIVES, 327F-1, 327F-2, 327F-3, 327F-4, 327F-5, 327F-6, 327F-7, 327F-8, 327F-9, 327F-10, 327F-11, 327F-12, 327F-13, 327F-14, 327F-15, 327F-16, 560:5-304

SB1362 SD3 HD2 (HSCR 1194-04)**RELATING TO MENTAL HEALTH****Status: Act 79, Effective 5/18/04**

Amends provisions relating to non witnessed direct mental health services. Repeals services that are on behalf of the child and adolescent mental health division of the Department of Health.

Amends provision relating to mental health by repealing the child and adolescent mental health division and replacing it with the mental health divisions. Amends provisions relating to functions of the Department of Health in mental health. Replaces 4 year plan with an annual statewide comprehensive integrated service plan that is the cumulative result of comprehensive integrated service area planning within each county to be developed by the service area administrator.

Introduced by: BUNDA (BR)

Committee Reports: SSCR 391 (HTH) SSCR 2783 (JHW) - filed FLOOR AMENDMENT 5 HSCR 832-04 (HLT) HSCR 1194-04 (JUD)

Section Affected: 321-171.5, 334-3, 334-10, 334-11, 378-2.5, 846-2.7

SB2005**RELATING TO MEDICAL RECORDS.****Status: Act 22, Effective 4/28/04**

Amends provision relating to confidentiality of records within the mental health, mental illness, drug addiction, and alcoholism law. Provides that all certificates, applications, records, and reports made, directly or indirectly identifying a person shall be kept confidential and shall not be disclosed by any person except when disclosure is made to the person's health care insurer to obtain reimbursement for services rendered to the person, provided that disclosure shall be made only if the provider informs the person that a reimbursement claim will be made to the person's insurer.

Introduced by: BAKER

Committee Reports: SSCR 2002 (HTH) HSCR 921-04 (HLT) HSCR 1114-04 (CPC/ JUD/)
Section Affected: 334-5

SB2165 SD1 HD1 CD1 (CCR 105-04)

RELATING TO CHILD ABUSE AND PROTECTION.

Status: Pending Governor's Signature

Establishes provisions relating to drug affected infants; treatment; family referral; federal grants. Requires the Department of Human Services to implement and operate a statewide program relating to child abuse and neglect.

Introduced by: CHUN OAKLAND

Committee Reports: SSCR 2170 (HMS/ HTH/) SSCR 2736 (WAM) HSCR 803-04 (HSH/ HLT/) HSCR 1200-04 (FIN) CCR 105-04

Section Affected: 587- (1 SECTION) DRUG-AFFECTED INFANTS

SB2200 HD1 CD1 (CCR 67-04)

RELATING TO EDUCATION.

Status: Pending Governor's Signature

Amends provisions relating to the running start program that permits eligible high school students to enroll in courses offered by the University of Hawaii system. Repeals the provisions that the Department of Education adopt rules for the program.

Introduced by: SAKAMOTO

Committee Reports: SSCR 2265 (EDU) SSCR 2577 (JHW) HSCR 948-04 (EDN) HSCR 1196-04 (JUD) CCR 67-04

Section Affected: 302A-401

SB2377 SD1 HD1 CD1 (CCR 43-04)

RELATING TO PRIVACY.

Status: Act 83, Effective 5/19/04

Amends provisions relating to violation of privacy in the 1st degree. Adds digital recordation to the type of record covered by the crime of violation of privacy. This measure makes statutory amendments to the existing privacy law in order to prohibit the inappropriate use of new digital technologies, such as cellular phones, that are capable of taking digital photographs and transmitting those images.

Introduced by: IGE

Committee Reports: SSCR 2297 (SAT) SSCR 2581 (JHW) HSCR 826-04 (EDB) HSCR 1174-04 (JUD) CCR 43-04

Section Affected: 711-1100, 711-1110.9, 711-1111

SB2424 SD2 HD2 CD1 (CCR 115-04)

RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS.

Status: Act 63, Effective 5/11/04

Amends provisions relating to new century charter schools. Provides that civil service employees of the Department of Education schools shall retain their civil service status upon conversion of their school to a new century conversion charter school and that positions in a new century

conversion charter school that would be civil service in a Department school shall be civil service positions. Further provides that an employee with civil service status at a new century conversion charter school who transfers to another civil service position shall be entitled to all of the rights, privileges, and benefits of continuous, uninterrupted civil service.

Introduced by: SAKAMOTO

Committee Reports: SSCR 2487 (LBR/ EDU/) SSCR 2687 (WAM) HSCR 833-04 (LAB/ EDN/) HSCR 1271-04 (FIN) CCR 115-04

Section Affected: 302A-1184

SB2425 SD1 HD1 CD1 (CCR 68-04)

RELATING TO EDUCATION.

Status: Pending Governor's Signature

Amends provisions relating to new century charter school funding. Authorizes the legislature to make an adjustment to the per pupil allocation and to make appropriations based on fringe and other employee benefits and facility costs. Increases the amount of funds given to a new century charter school by August 1, to 50 per cent of a new century charter school's per pupil allocation based on the school's projected student enrollment. Also moves up the date for the initial payment from August 1 to July 20. Requires new century charter schools to submit an accounting of the percentage of student enrollment who transferred from public schools established and maintained by the Department and that these accountings be submitted by the charter school administrative office annually to the legislature.

Introduced by: SAKAMOTO

Committee Reports: SSCR 2497 (EDU) SSCR 2767 (WAM) HSCR 999-04 (EDN) HSCR 1118-04 (FIN) CCR 68-04

Section Affected: 302A-1185

SB2586 SD2 HD2 CD1 (CCR23-04)

RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING.

Status: Pending Governor's Signature

Establishes a community service license, authorizing both dentists and dental hygienists to practice in federally qualified non-profit health centers serving low-income and uninsured communities for up to five years. The law sunsets on July 1, 2009.

Introduced by: BAKER

Committee Reports: SSCR 2388 (HTH) SSCR 2630 (CPH) HSCR 923-04 (HLT) HSCR 1189-04 (CPC) CCR 23-04

Section Affected: 447- (1 SECTION), 448- (1 SECTION), 448-0, 448-9.5

SB2842 SD1 HD4 (FLOOR AMENDMENT 16)

RELATING TO CHAPTER 846E, HAWAII REVISED STATUTES.

Status: Act 59, Effective 5/10/04

Amends provisions relating to sex offender registration and notification. Provides that sex offenders shall register with the attorney general and the county police chief where the offender resides for life. Provides that the offender take a new photograph every 5 years for the county

police chief. Requires the judicial council to establish a task force to engage in a comprehensive review of public access to information regarding persons convicted of sexual offenses. Report to the legislature.

Introduced by: BUNDA (BR)

Committee Reports: SSCR 2607 (JHW) HSCR 819-04 (PSM) HSCR 987-04 (JUD) HSCR 1260-04 (FIN) FLOOR AMENDMENT 16

Section Affected: 846E-1, 846E-2, 846E-3, 846E-6, 846E-9

SB2843 SD1 HD2

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.

Status: Pending Governor's Signature

Proposes to amend the constitution. Establish provisions relating to public access to information concerning persons convicted of certain offenses against children and certain sexual offenses.

Provides that the public has a right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses.

Provides that the legislature shall determine which offenses are subject to this provision, what information constitutes registration information to which the public has a right of access, the manner of public access to the registration information and a period of time after which and conditions pursuant to which a convicted person may petition for termination of public access.

Introduced by: BUNDA (BR)

Committee Reports: SSCR 2612 (JHW) HSCR 821-04 (PSM) HSCR 1296-04 (JUD) FLOOR AMENDMENT 17

Section Affected: ART I (1 SECTION) PUBLIC ACCESS TO INFORMATION CONCERNING PERSONS CONVICTED OF CERTAIN OFFENSES AGAINST CHILDREN AND CERTAIN SEXUAL OFFENSES

SB2846 SD1 HD2 (FLOOR AMENDMENT 15)

PROPOSING AMENDMENTS TO ARTICLE 1, SECTION 14, OF THE HAWAII CONSTITUTION.

Status: Pending Governor's Signature

Proposes an amendment to Article I, Section 14, of the State Constitution to permit the legislature to pass legislation to provide for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged victim's physician, psychologist, counselor or licensed mental health professional.

Introduced by: BUNDA (BR)

Committee Reports: SSCR 2608 (JHW) HSCR 1149-04 (JUD) FLOOR AMENDMENT 15

Section Affected: ART 1 S10

SB2899 SD2 HD1 (HSCR 942-04)**RELATING TO NURSES.****Status: Act 88, Effective 5/25/04**

Amends provisions relating to nurses. Provides that applicants who have graduated from a practical nursing program at an educational institution in a foreign jurisdiction and are applying for a license to practice as a licensed practical nurse by examination shall submit to the board of nursing proof of eligibility. Provides that applicants shall be eligible to apply for a license by examination if they have met the educational requirements prescribed by the board and have had their transcripts evaluated by professional evaluators designated by the board. Further provides that a nurse who has not actively practiced in this State or any other state in the US or any other territory or possession under the jurisdiction of the US for more than 5 years shall be required by the board to submit proof of continued competency by retaking and passing the licensing examination. Amends Act 192 session laws of 2002, as amended by Act 3, session laws of 2003, relating to prescriptive authority for advanced practice registered nurses. Repeals the sunset date. Report to legislature.

Introduced by: BUNDA (BR)

Committee Reports: SSCR 2379 (HTH) SSCR 2567 (CPH) HSCR 942-04 (HLT) HSCR 1113-04 (CPC)

Section Affected: 457-1, 457-7, 457-8, 457-8.5, 457-8.6, 457-9, 457-11, ACT 192 2002, ACT 3 2003

SB2930 SD2 HD1 CD1 (CCR 108-04)**RELATING TO HOME AND COMMUNITY-BASED SERVICES.****Status: Pending Governor's Signature**

Amends law relating to home and community based case management agencies and community care foster family homes by extending the statutory authority of the Department of Human Services or its designee. Requires that any person engaged in providing, coordinating, or monitoring comprehensive services to clients in community care foster family homes or Medicaid clients in expanded adult residential care homes, and assisted living facilities to meet the standards of conditions, management and competence set by the Department. Requires adult protective services perpetrator checks as a requirement for certification. Extends the sunset date to June 30, 2006. Report to legislature.

Introduced by: BUNDA (BR)

Committee Reports: SSCR 2400 (HMS/ HTH/) SSCR 2744 (WAM) HSCR 885-04 (HSH/ HLT/) HSCR 1269-04 (FIN) CCR 108-04

Section Affected: ACT 273 2001, ACT 95 2003, ACT 98 2003

SB2936 SD2 HD1 CD1 (CCR 106-04)**RELATING TO MEDICAL ASSISTANCE FOR PREGNANT LEGAL IMMIGRANTS.****Status: Pending Governor's Signature**

Establishes provisions relating to medical assistance for other pregnant women. Provides that the Department of Human Services may provide state funded medical assistance to a pregnant woman 19 years of age or older whose countable family income does not exceed 185 per cent of

the federal poverty level for a family of applicable size which includes the expected unborn children.

Introduced by: BUNDA (BR)

Committee Reports: SSCR 2484 (HMS) SSCR 2845 (WAM) HSCR 805-04 (HSH/ HLT/) HSCR 1253-04 (FIN) CCR 106-04

Section Affected: 346- (1 SECTION) MEDICAL ASSISTANCE FOR OTHER PREGNANT WOMEN

SB2948 SD2 HD1 CD1 (CCR 24-04)

RELATING TO PUBLIC HEALTH NURSING SERVICES.

Status: Pending Governor's Signature

Establishes provision relating to public health nursing program. Establishes the program within the Department of Health to mobilize the Department's nursing resources and respond to catastrophic and traumatic emergency events; respond to communicable diseases and other public health outbreaks; provide care coordination services to the most vulnerable populations of special needs children, elderly, and other populations having difficulty accessing the health care system; provide services that involve the family in collaboration and coordination with other agencies; and collect and evaluate data that addresses family and community needs for nursing and health services delivery changes to enhance the quality of life for families.

Introduced by: BUNDA (BR)

Committee Reports: SSCR 2463 (HTH) SSCR 2730 (WAM) HSCR 882-04 (HLT) HSCR 1228-04 (FIN) CCR 24-04

Section Affected: 321- (1 SECTION) PUBLIC HEALTH NURSING SERVICES PROGRAM

SB3230 SD2 HD1 CD1 (CCR 109-04)

RELATING TO EARLY CHILDHOOD CARE.

Status: Pending Governor's Signature

Requires the Department of Human Services to establish a pilot project in east Hawaii to provide community based, collaborative, comprehensive early childhood care direct services for children under age 5 and their families in the critical needs areas as determined by the Department. Report to the legislature. Appropriation for the services based on the Hui Imua O Koolauloa model, provided that the funds shall be used for implementation of community based comprehensive direct service delivery systems, and not for planning, studies, or any other strategic functions. (\$\$)

Introduced by: SAKAMOTO

Committee Reports: SSCR 2485 (HMS/ EDU/) SSCR 2748 (WAM) HSCR 895-04 (HSH) HSCR 997-04 (EDN) HSCR 1121-04 (FIN) CCR 109-04

SB3237 SD1 HD1 (HSCR 1037-04)

RELATING TO PRESCRIPTION DRUGS.

Status: Act 47, Effective 5/3/04

Amends provisions relating to the Rx plus program. Requires the Department of Human Services to establish an Rx plus preferred drug list. Provides that the names of manufacturers who do and

who do not enter into rebate agreements pursuant to the Rx program are public information. Authorizes Department to release this information to health care providers and the public on a regular basis and shall publicize participation by manufacturers that is of particular benefit to the public. Changes the name of the Rx program to Rx plus. Appropriation from the Rx special fund to implement the Rx plus program. (\$\$)

Introduced by: MENOR

Committee Reports: SSCR 2514 (CPH/ HTH/) HSCR 1037-04 (FIN)

Section Affected: 346- (2 SECTIONS), 346-311, 346-312, 346-313, 346-314, 346-315, 346-316, 346-317, 346-318, 346-319

**RESOLUTIONS ADOPTED BY THE HAWAII STATE LEGISLATURE
REGULAR SESSION OF 2004**

HCR060 2004

ENCOURAGING THE HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE DEVELOPMENT, RELIEF, AND EDUCATION FOR ALIEN MINORS ("DREAM") ACT.

Introduced by: TAKAI

Committee Reports: HSCR 1103-04 (LAB/ HED/) SSCR 3516 (EDU/ TMG/)

HCR063 2004

CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE.

Introduced by: SAIKI

Committee Reports: HSCR 1098-04 (HSH) SSCR 3469 (CPH/ ECD/ HMS/)

HCR103 2004 HD1 (HSCR 1066-04)

REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO EXAMINE THE FEDERAL INDEPENDENCE PLUS INITIATIVE TO DETERMINE IF HAWAII CAN BENEFIT FROM APPLYING FOR AND OBTAINING A WAIVER OR WAIVERS TO PROVIDE INDIVIDUALS WITH DISABILITIES WITH SERVICES IN THE COMMUNITY.

Introduced by: LEE

Committee Reports: HSCR 1066-04 (HLT/ HSH/) HSCR 1446-04 (FIN) SSCR 3471 (HTH/ HMS/)

HCR117 2004

REQUESTING CONGRESS TO SUPPORT FULL FUNDING FOR THE CARL D. PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT.

Introduced by: EVANS

Committee Reports: HSCR 1421-04 (EDN) SSCR 3517 (EDU/ TMG/)

HCR141 2004

REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A COORDINATED STATEWIDE EFFORT TO ADDRESS FETAL ALCOHOL SPECTRUM DISORDER.

Introduced by: ARAKAKI

Committee Reports: HSCR 1051-04 (HLT) HSCR 1444-04 (FIN) SSCR 3462 (HTH)

HCR150 2004

SUPPORTING AND ENCOURAGING NATIONAL, STATE, AND LOCAL EFFORTS TO SECURE ACCESS AND REMOVE BARRIERS TO HEALTH CARE FOR MEN AND THEIR FAMILY MEMBERS.

Introduced by: LEE

Committee Reports: HSCR 1085-04 (HLT) SSCR 3463 (HTH)

HCR154 2004

REQUESTING THE EXECUTIVE OFFICE ON AGING TO PROVIDE DATA ON HAWAII'S FAMILY CAREGIVERS AND THE OLDER ADULTS TO WHOM THEY PROVIDE ASSISTANCE.

Introduced by: ARAKAKI

Committee Reports: HSCR 1070-04 (HLT/ HSH/) SSCR 3473 (HTH/ HMS/)

HCR203 2004

REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO STUDY AND IMPLEMENT PARITY BETWEEN OCCUPATIONAL THERAPISTS, PHYSICAL THERAPISTS, AND SPEECH THERAPISTS WITHIN THE DEPARTMENT OF EDUCATION.

Introduced by: LUKE

Committee Reports: HSCR 1433-04 (FIN) SSCR 3501 (EDU/ LBR/)

HCR265 2004 HD1 (HSCR 1355-04)

REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE OFFICE OF YOUTH SERVICES TO DEVELOP A PLAN FOR CREATING AND IMPLEMENTING GENDER RESPONSIVE ENVIRONMENTS AT THE WOMEN'S COMMUNITY CORRECTIONAL CENTER AND AT THE HAWAII YOUTH CORRECTIONAL FACILITY.

Introduced by: B. OSHIRO

Committee Reports: HSCR 1355-04 (HSH/ JUD/) SSCR 3488 (JHW/ HMS/)

HR0042 2004

REQUESTING MEMBERS OF CONGRESS TO INCLUDE WAIVERS OR MAKE CHANGES TO NO CHILD LEFT BEHIND AND PROVIDE SUFFICIENT FUNDING THAT WILL ALLOW HAWAII TO USE THE LAW AS AN OPPORTUNITY TO IMPROVE EDUCATION.

Introduced by: TAKAI

Committee Reports: HSCR 1416-04 (EDN)

HR0047 2004

URGING CONGRESS TO PASS FEDERAL LEGISLATION TO PROVIDE ACCESS TO SAFE, AFFORDABLE PRESCRIPTION DRUGS BY ALLOWING PURCHASE OF PRESCRIPTION DRUGS FROM CANADA AND OTHER COUNTRIES THAT MEET FEDERAL SAFETY REQUIREMENTS AND REQUESTING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO SUPPORT AND IMPLEMENT REIMPORTATION.

Introduced by: TAKUMI

Committee Reports: HSCR 1104-04 (CPC)

HR0070 2004 HD1 (HSCR 1065-04)

REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO EXAMINE THE FEDERAL INDEPENDENCE PLUS INITIATIVE TO

**DETERMINE IF HAWAII CAN BENEFIT FROM APPLYING FOR AND OBTAINING A
WAIVER OR WAIVERS TO PROVIDE INDIVIDUALS WITH DISABILITIES WITH
SERVICES IN THE COMMUNITY.**

Introduced by: LEE

Committee Reports: HSCR 1065-04 (HLT/ HSH/) HSCR 1445-04 (FIN)

HR0079 2004

**REQUESTING CONGRESS TO SUPPORT FULL FUNDING FOR THE CARL D.
PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT.**

Introduced by: EVANS

Committee Reports: HSCR 1420-04 (EDN)

HR0095 2004 HD1 (HSCR 1057-04)

**REQUESTING THE DEPARTMENT OF HEALTH, HAWAII MEDICAL ASSOCIATION,
AND AMERICAN CANCER SOCIETY TO SUPPORT ADEQUATE LEVELS OF
REIMBURSEMENT FOR MAMMOGRAPHY SERVICES AND TO SUPPORT
PHYSICIANS TO BE ALLOWED TO PROVIDE MORE ACCESS TO TECHNOLOGY.**

Introduced by: ARAKAKI

Committee Reports: HSCR 1057-04 (HLT)

HR0098 2004

**REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A COORDINATED
STATEWIDE EFFORT TO ADDRESS FETAL ALCOHOL SPECTRUM DISORDER.**

Introduced by: ARAKAKI

Committee Reports: HSCR 1050-04 (HLT) HSCR 1443-04 (FIN)

HR0107 2004

**SUPPORTING AND ENCOURAGING NATIONAL, STATE, AND LOCAL EFFORTS TO
SECURE ACCESS AND REMOVE BARRIERS TO HEALTH CARE FOR MEN AND
THEIR FAMILY MEMBERS.**

Introduced by: LEE

Committee Reports: HSCR 1106-04 (HLT)

HR0117 2004 HD1 (HSCR 1081-04)

**URGING THE SETTING OF AN EXAMPLE TO OUR CHILDREN AND OUT-OF-STATE
VISITORS BY DESIGNATING THE THIRD AND FOURTH FLOORS OF THE STATE
CAPITOL SMOKE-FREE.**

Introduced by: THIELEN

Committee Reports: HSCR 1081-04 (HLT/ LMG/) - notwithstanding

HR0142 2004

**REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF
HUMAN RESOURCES DEVELOPMENT TO STUDY AND IMPLEMENT PARITY
BETWEEN OCCUPATIONAL THERAPISTS, PHYSICAL THERAPISTS, AND SPEECH
THERAPISTS WITHIN THE DEPARTMENT OF EDUCATION.**

Introduced by: LUKE

Committee Reports: HSCR 1432-04 (FIN)

HR0150 2004 HD2 (HSCR 1476-04)

REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO DEVELOP A DRUG ENDANGERED CHILD PROTECTION PROGRAM.

Introduced by: HAMAKAWA

Committee Reports: HSCR 1301-04 (HSH) HSCR 1476-04 (FIN)

HR0168 2004 HD1 (HSCR 1414-04)

REQUESTING THE DEPARTMENT OF EDUCATION TO SUPPORT A STUDENT EXCHANGE PROGRAM TO INVOLVE STUDENTS IN THE PUBLIC SCHOOLS IN HAWAII AND STUDENTS IN THE PROVINCES IN THE REPUBLIC OF THE PHILIPPINES WITH WHICH THE STATE HAS STATE-PROVINCE RELATIONSHIPS.

Introduced by: ARAKAKI

Committee Reports: HSCR 1414-04 (INT/ EDN/)

HR0190 2004 HD1 (HSCR 1354-04)

REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE OFFICE OF YOUTH SERVICES TO DEVELOP A PLAN FOR CREATING AND IMPLEMENTING GENDER RESPONSIVE ENVIRONMENTS AT THE WOMEN'S COMMUNITY CORRECTIONAL CENTER AND AT THE HAWAII YOUTH CORRECTIONAL FACILITY.

Introduced by: OSHIRO

Committee Reports: HSCR 1354-04 (HSH/ JUD/)

Senate Resolutions

SCR017 2004 HD1 (HSCR 1503-04)

URGING THE SETTING OF AN EXAMPLE TO OUR CHILDREN AND OUT-OF-STATE VISITORS BY DESIGNATING ALL AREAS OF THE STATE CAPITOL SMOKE-FREE.

Introduced by: CHUN OAKLAND

Committee Reports: SSCR 2918 (HTH) HSCR 1503-04 (HLT)

SCR027 2004

URGING SUPPORT FOR FEDERAL LEGISLATION AUTHORIZING THE IMPORTATION OF PRESCRIPTION DRUGS.

Introduced by: TSUTSUI

Committee Reports: SSCR 3076 (CPH/ HTH/) HSCR 1554-04 (HLT)

SCR054 2004

REQUESTING THE AUDITOR TO ASSESS THE IMPACT OF THE DEPARTMENT OF HUMAN SERVICES' POLICY OF EXPEDITED PROCESSING OF APPLICATIONS RECEIVED FROM PREGNANT WOMEN USING THE "MEDICAL ASSISTANCE APPLICATION FOR CHILDREN AND PREGNANT WOMEN ONLY" FORM ON EARLY ENTRY INTO PRENATAL CARE AND SUBSEQUENT BIRTH OUTCOMES.

Introduced by: BAKER

Committee Reports: SSCR 3338 (HMS/ HTH/) HSCR 1499-04 (HSH/ HLT/)

SCR056 2004

URGING THE PRESIDENT AND CONGRESS TO REPEAL THE BAN AGAINST THE GOVERNMENT NEGOTIATING PRICE REDUCTIONS OF PRESCRIPTION DRUGS.

Introduced by: MENOR

Committee Reports: SSCR 3160 (CPH/ HTH/ TMG/) HSCR 1555-04 (HLT)

SCR081 2004 SD1 (SSCR 3419)

REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO MAINTAIN AND UTILIZE THE SELF-SUFFICIENCY STANDARD AS A FRAMEWORK TO EVALUATE PROGRAMS AND DEVELOP PUBLIC POLICY.

Introduced by: FUKUNAGA

Committee Reports: SSCR 3419 (HMS/ECD) SSCR 1514-04 (HSH)

SCR127 2004 SD1 HD1 CD1 (CCR 159-04)

REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO (CCR 159-04) DELAY THE IMPLEMENTATION OF THE ELIMINATION OF THE SOCIAL WORKER SERIES.

Introduced by: ESPERO

Committee Reports: SSCR 3373 (LBR) HSCR 1528-04 (LAB) CCR 159-04

SCR135 2004 SD1 (SSCR 3420)

REQUESTING THE CONVENING OF AN AFFORDABLE HOUSING TASK FORCE.

Introduced by: HOOSER

Committee Reports: SSCR 3420 (HMS/ CPH/) HSCR 1515-04 (HSH)

SCR167 2004

RECOGNIZING NATIVE HAWAIIANS AS TRADITIONAL, INDIGENOUS KNOWLEDGE HOLDERS AND RECOGNIZING THEIR COLLECTIVE INTELLECTUAL PROPERTY RIGHTS.

Introduced by: ENGLISH

Committee Reports: SSCR 3389 (JHW) HSCR 1543-04 (WLH)

SR0012 2004

REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP AND REQUIRE AS PART OF THE CURRICULUM AN ELEMENTARY SCHOOL-LEVEL PHYSICAL EDUCATION PROGRAM.

Introduced by: KANNO

Committee Reports: SSCR 2867 (EDU)

SR0024 2004

URGING THE PRESIDENT AND CONGRESS TO REPEAL THE BAN AGAINST THE GOVERNMENT NEGOTIATING PRICE REDUCTIONS OF PRESCRIPTION DRUGS.

Introduced by: MENOR

Committee Reports: SSCR 3161 (CPH/ HTH/ TMG/)

SR0036 2004 SD1 (SSCR 3340)

REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A COORDINATED STATEWIDE EFFORT TO ADDRESS FETAL ALCOHOL SPECTRUM DISORDER.

Introduced by: BAKER

Committee Reports: SSCR 3340 (HTH)

SR0040 2004 SD2 (FLOOR AMENDMENT 17)

REQUESTING THE SENATE COMMITTEE ON HUMAN SERVICES TO CONVENE INTERIM HEARINGS ON THE MISUSE OF LEGAL INTERVENTIONS AVAILABLE TO THE FAMILY COURT.

Introduced by: FUKUNAGA

Committee Reports: SSCR 3535 (HMS/ JHW/) - filed FLOOR AMENDMENT 17

SR0041 2004 SD1 (SSCR 3385)

CONVENING A TASK FORCE TO EVALUATE CHILD SUPPORT ADJUSTMENTS FOR ACTIVATED MILITARY PERSONNEL AND RECOMMEND SOLUTIONS.

Introduced by: HANABUSA

Committee Reports: SSCR 3385 (JHW/ HMS/ TMG/)

SR0043 2004

REQUESTING THE DEPARTMENT OF EDUCATION TO WORK IN CONJUNCTION WITH THE YOUTH OF THE FIRST REPRESENTATIVE DISTRICT AND COMMUNITY AGENCIES IN THE AREA TO DEVELOP COMMUNITY-BASED YOUTH PROGRAMS.

Introduced by: INOUE

Committee Reports: SSCR 3351 (EDU/ TMG/)

SR0063 2004

**URGING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ALLOW
PRESCRIPTION DRUGS TO BE IMPORTED FROM CANADA.**

Introduced by: KIM

Committee Reports: SSCR 3427 (CPH/ HTH/ TMG/)

SR0111 2004

**REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY
OF ESTABLISHING ALTERNATIVE SCHOOLS OR DROPOUT CENTERS FOR
ADOLESCENTS WHO SUFFER FROM DRUG ADDICTION.**

Introduced by: HANABUSA

Committee Reports: SSCR 3359 (EDU/ JHW/)